

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MAY 8, 2007
MINUTES**

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| ROLL CALL | A. | The regular meeting of the Common Council held on May 8, 2007 and was called to order at 6:30 p.m. by Mayor Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Mayor Taylor, Aldermen Olson, Solomon, Hammelman, Kosovich, Sohns and Skowronski. Also present were City Engineer Bennett, Planning Manager Dietl, Director of Administration Luberd, City Attorney Wesolowski and City Clerk Wesolowski. |
| CITIZEN COMMENT | B-1. | Citizen comment period was opened at 6:30 p.m. and closed at 6:55 p.m. |
| SENIOR CITIZEN | B-2a. | Mayor Taylor announced the induction of Casper Green in the 2007 Milwaukee County Senior Citizen Hall of Fame. |
| RESIGNATION | B-2b. | Mayor Taylor read letter of resignation from Senior Planner Ashley F. Booth. |
| ASSEMBLY BILL 57 | B-2c. | Mayor Taylor read letter from Governor Jim Doyle regarding Assembly Bill 57. |
| PROCLAMATION | B-2d. | Director of Clerk Services read the Mayoral Proclamation for National Anthem Project Day. |
| MINUTES- 4/17/07 | C-1. | Alderman Kosovich moved to approve the minutes of the Common Council meeting of April 17, 2007 as presented. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| POLICE DEPT. GRANT | F-1. | Alderman Olson moved to accept the \$10,000 grant from the Wisconsin Department of Transportation for enhanced enforcement of seat belt laws in the City of Franklin. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| DONATION | F-2. | Alderman Sohns moved to accept the donation of a 1999 Ford Windstar minivan from Hiller Ford for use by the Crime Prevention Unit in the Police Department. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| BLOCK GRANT | F-3. | Alderman Sohns moved to suspend the rules to allow Casper Green to speak. Seconded by Alderman Olson. All voted Aye; motion carried. Alderman Solomon moved to return to the regular order of business. Seconded by Alderman Hammelman. All voted Aye; motion carried. |

It was then moved by Alderman Solomon to authorize the Director of Administration to execute the 2007 Milwaukee County Community Development Block Grant Program contracts and to oversee administration of the grant funding. Seconded by Alderman Skowronski. All voted Aye; motion carried.

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| 2007 CIVIC
CELEBRATIONS | F-4. | Alderman Kosovich moved to authorize Bob Knackert (as an officer working within the scope of his office) of the Civic Celebrations Commission to sign and execute contracts approved by the City Attorney in an amount \$82,000 for the 2007 Civic Celebration. Seconded by Alderman Olson. All voted Aye; motion carried. |
| RES. 2007-6270
ZONING
ADMINISTRATOR | F-5. | Alderman Sohns moved to adopt Resolution No. 2007-6270, A RESOLUTION AUTHORIZING ZONING ADMINISTRATOR DESIGNEES FOR THE PURPOSES OF ENFORCEMENT OF THE UNIFIED DEVELOPMENT ORDINANCE. Seconded by Alderman Olson. All voted Aye; motion carried. |
| RES. 2007-6271
CSM-
RAWSON
DEVELOPMENT | F-6. | Alderman Hammelman moved to adopt Resolution No. 2007-6271, A RESOLUTION CONDITIONALLY APPROVING A 2-LOT AND 1-OUTLOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (RAWSON DEVELOPMENT, LLC, APPLICANT) (APPROXIMATELY 5200 WEST RAWSON AVENUE), subject to approval of a development agreement and letter of credit, and technical corrections by the City Attorney. Seconded by Alderman Olson. All voted Aye; motion carried. |
| SOLID WASTE
COLLECTION
POLICY | F-7. | No action was taken on the report from engineering staff relative to the review and revision to the City's solid waste collection policy for condominium developments. |
| STOP SIGNS-
W. MINNESOTA
AVENUE | F-8. | Alderman Hammelman moved to adopt an ordinance to amend Section 245.3 of the Municipal Code relating to stop sign location on W. Minnesota Avenue at S. 31st Street, subject to approval by the Board of Public Works. Seconded by Alderman Olson. Alderman Hammelman withdrew his motion and Alderman Olson withdrew his second. Alderman Hammelman then moved to table this ordinance to next meeting. Seconded by Alderman Kosovich. All voted Aye; motion carried. |
| RECONSTRUCTION
OF S.T.H. 100 | F-9. | Alderman Sohns moved to include sidewalks in the reconstruction of S.T.H. 100 from W. Puetz Road to W. College Avenue. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| SANITARY SEWER
EASEMENT | F-10. | Alderman Kosovich moved to approve the Assignment and Assumption Agreement between MLG Real Estate 2005 LLC and the City of Franklin (Autumn Ridge Condominium Development) (S. 51st Street and W. Cobblestone Way). Seconded by Alderman Olson. All voted Aye; motion carried. |

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| RES. 2007-6272
W. SHARON LANE | F-11. | Alderman Sohns moved to adopt Resolution No. 2007-6272, A RESOLUTION AWARDING CONTRACT TO THE LOWEST BIDDER FOR THE RECONSTRUCTION OF W. SHARON LANE AND A PORTION OF S. 42ND STREET AND S. 36TH STREET to Capital Pavers, Inc. in the amount of \$191,975.90. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| RES. 2007-6273
AGREEMENTS | F-12. | Alderman Hammelman moved to adopt Resolution No. 2007-6273, A RESOLUTION ACCEPTING STORM WATER MAINTENANCE AGREEMENTS FROM DEVELOPMENT, Berkshire II; Andy's Retail/Convenience Store and Car Wash; Rawson Center; Carleton Creek and Rawson Commons. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| OVERSIZED
WATER MAIN-W.
LOOMIS ROAD | F-13. | Alderman Skowronski moved to reimburse Franklin Animal Campus, Nancy Meinerz, developer, for oversized water main and appurtenances in the amount of \$120,990 to be paid in five annual payments of \$24,198. Seconded by Alderman Kosovich. All voted Aye; motion carried. |
| EXTENSION OF
SEWER | F-14. | Alderman Solomon moved to table request by O'Malley Development LLC for a survey of property owners for the extension of sanitary sewer from S. 60th Street to S. 80th Street. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| RES. 2007-6274
W. WHEATON
WAY | F-15. | Alderman Kosovich moved to adopt Resolution No. 2007-6274, A RESOLUTION AWARDING BID TO THE LOWEST BIDDER FOR THE CONSTRUCTION OF W. WHEATON WAY WEST OF S. 27TH STREET to Milwaukee General Construction, Inc. in the amount of \$590,503.77. Seconded by Alderman Hammelman. All voted Aye; motion carried. |
| RES. 2007-6275
AGREEMENT-
SEWER & WATER
UTILITY
BUILDING | F-16. | Alderman Sohns moved to adopt Resolution No. 2007-6275, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH GRAEF, ANHALT, SCHLOEMER & ASSOCIATES, INC. FOR SPACE NEEDS ANALYSIS AND PRELIMINARY DESIGN FOR SEWER AND WATER UTILITY BUILDING, contingent upon review and approval of the agreement by the City Attorney. Seconded by Alderman Kosovich. All voted Aye; motion carried. |
| RES. 2007-6276
LOCAL ROAD
PROGRAM | F-17. | Alderman Skowronski moved to adopt Resolution No. 2007-6276, A RESOLUTION AWARDING CONTRACT TO THE LOWEST BIDDER FOR THE RECONSTRUCTION OF RURAL ROADS AS PART OF 2007 LOCAL ROAD PROGRAM to Payne & Dolan, Inc. in the amount of \$243,697. Seconded by Alderman Olson. All voted Aye; motion carried. |

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| WAIVER OF FEES-
LEGEND PARK | F-18. | Alderman Olson moved to approve the request for waiver of fees by Mary Kames (Ben Franklin Elementary School) for use of Lions Legend Park Pavilion Phase II in the amount of \$100. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| RES. 2007-6277
OFFICIAL
NEWSPAPER | F-19. | Alderman Sohns moved to adopt Resolution No. 2007-6277, A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER to Community Newspapers, Inc. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| COUNCIL
MEETING-5/22/07 | F-20. | Alderman Sohns moved to change start time of May 22, 2007 Common Council meeting to 7:30 p.m. Seconded by Alderman Kosovich. All voted Aye; motion carried. |
| CLOSED SESSION-
S. 51ST STREET
RECONSTRUCTION | F-21. | Alderman Sohns moved to enter closed session at 8:45 p.m. pursuant to §19.85(1)(e), Stats. to consider the acquisition of a property by the City of Franklin for public purposes for right-of-way for the reconstruction of S. 51st Street and the negotiation of the acquisition of such properties and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried. |

The Common Council reentered open session at 8:55 p.m.

Alderman Sohns moved to direct staff to undertake such activities and procedures and referrals to other boards as discussed in closed session, and return to the Common Council in order to further acquisition of such property. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

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| POTHOLE-
S. FRANKLIN
DRIVE | F-22. | Alderman Solomon moved to deny the claim of David Smitka for reimbursement of tire and rim damage costs incurred due to hitting a pothole located on S. Franklin Drive pursuant to §893.80(1g), Stats., as recommended for denial by Midwest Claims Service. Seconded by Alderman Olson. All voted Aye; motion carried. |
| SITE PLAN
REVIEW | F-23a. | Discussion on public hearings to be held and ordinance changes for site plan review and certified survey map approvals in the City of Franklin was held on 5/07/07. |
| COYOTE
CONTROL | F-23b. | Discussion on coyote control in the City of Franklin was held at the Committee of the Whole meeting on 5/07/07. |

Alderman Sohns moved that the City Attorney develop an agreement with Payne & Dolan, Inc. to allow trapping of coyotes on their property. Seconded by Alderman Olson. All voted Aye; motion carried.

COYOTE
CONTROL-
CONTINUED

Alderman Sohns moved that, for the period designated to perform trapping, the trapper be permitted to dispatch any coyote they trap following notification to the Franklin Police Department, with an ordinance permitting this to be presented at the 05/22/07 Common Council meeting. Seconded by Alderman Olson. All voted Aye; motion carried.

Alderman Olson moved that the Common Council receive a report from the Police Chief and Health Officer following evaluation of the trapping period, and further moved that at that time the Common Council consider expansion of the program to Lions Legend Park and other areas of concern. Seconded by Alderman Sohns. All voted Aye; motion carried.

ARBOR DAY F-23c. A report was presented on 5/07/07 by Alderman Skowronski on Arbor Day activities which were held on 4/28/07.

SOUTH F-23d. No action was needed on the South Suburban Chamber Legislative
SUBURBAN Breakfast held on April 19, 2007 regarding Milwaukee County
CHAMBER services and facilities.

APPOINTMENTS G-1. Alderman Skowronski moved to confirm the Mayoral appointments of Robert D. Donohoo, term expires 4/30/12, to the Fire and Police Commission. Seconded by Alderman Sohns. On roll call, all voted Aye; motion carried.

Alderman Sohns moved to confirm the Mayoral appointment of Nancy Kaczor, term expires 4/30/10, to the Environmental Commission. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Alderman Solomon moved to confirm the Mayoral appointment of H. Singh Ahuja, term expires 4/30/10, to the Environmental Commission. Seconded by Alderman Hammelman. On roll call, all voted Aye; motion carried.

Alderman Olson moved to confirm the Mayoral appointment of Gregory Kowalski, term expires 4/30/09, to the Environmental Commission. Seconded by Alderman Kosovich. On roll call, all voted Aye; motion carried.

Alderman Kosovich moved to confirm the Mayoral appointment of Alderman Sohns to the Board of Public Works. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

Alderman Sohns moved to confirm the Mayoral appointment of Alderman Kosovich to the Board of Health. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

**APPOINTMENTS-
CONTINUED**

Alderman Olson moved to confirm the Mayoral appointment of James Fuchs, term expires 4/20/10, to the Board of Review. Seconded by Alderman Kosovich. On roll call, all voted Aye; motion carried.

Alderman Solomon moved to confirm the Mayoral appointment of Carol Brunner, term expires 4/20/10, to the Board of Review. Seconded by Alderman Hammelman. On roll call, all voted Aye; motion carried.

Alderman Sohns moved to confirm the Mayoral appointment of Norman Hintz, term expires 4/20/10, to the Board of Review. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

LICENSES

H-1. Alderman Hammelman moved to grant the following licenses subject to meeting all licensing requirements:

Extraordinary Entertainment & Amusement Event for Great Midwest Relay, Joe Pulizzano at Franklin streets and Franklin High School grounds on June 8-9, 2007 subject to obtaining certificate of insurance; Knights of Columbus, Thomas Kuehn at 7335 S. Lovers Lane Road on June 24, 2007 and Wisconsin Ovarian Cancer Alliance, Valerie Nolin at 6000 W. Ryan Road (Milwaukee County Sports Complex) on July 21, 2007;

2006-07 Operator License to Justin T. Buss, 7578 S. 75th Street; Frank D. Holm, Jr., 6643 S. Parkedge Circle; Harjeet Singh, 2536 W. Warnimont Avenue #206, Milwaukee and Raquel M. Zalewski, 2164 S. 96th Street, West Allis;

2007-08 Operator License to Michael D. Falk, 10440 W. Scharles Avenue, Hales Corners; Halina Grochowski, 10407 S. George Drive, Oak Creek; Cathy F. Lee, 8401 S. 116th Street subject to payment of fees; Shelly L. Marquardt, 4354 S. 80th Street, Franksville and Austin J. Ulrick, 10424 W. White Manor Court, Franksville;

Operator License (Civic Celebration) to John E. Bergner, 8501 Parkland Drive; Robert A. Knackert, 9049 S. 83rd Street; Wendy C. Knackert, 9049 S. 83rd Street; Anthony M. Megna, 10321 W. Church Street; Michael B. Reichl, 7559 Drake Lane; Brian K. Sawinski, 8137 S. 47th Street and Ronald M. Smars, 7529 Francis Court East;

Temporary Entertainment & Amusement to Civic Celebration Commission, Robert Knackert, 9229 W. Loomis Road from July 1-6, 2007;

Temporary Class B Beer & Wine to Civic Celebration Commission, Michael Reichl, 9229 W. Loomis Road from July 1-6, 2007;

**LICENSES-
CONTINUED**

Fee waiver for Civic Celebration Operators: John Bergner, Robert & Wendy Knackert, Anthony Megna, Michael Reichl, Brian Sawinski and Ronald Smars for temporary operator licenses from July 1-6, 2007;

Fee waiver to Franklin Civic Celebration Commission, 9229 W. Loomis Road from July 1-6, 2007 for temporary entertainment & amusement, food, soda & Class B Beer & wine;

and also moved to hold new Class B Combination License for Capzan Holdings, Inc., d/b/a Irish Cottage, Agent: Kimberly S. Beach, 11433 W. Ryan Road at the recommendation of the Department of Revenue;

and also moved to hold Operator License for Melissa J. Beck, 11110 W. Woodside Drive, Hales Corners subject to appearing before the License Committee and Carey O'Connell, 24607 S. Loomis Road, Windlake subject to appearing before the License Committee;

and also moved to hold extraordinary entertainment & amusement event license for Wild Breed Saloon-Poker Run, Cynthia Grimscheid, 11438 W. Swiss Street, poker run to benefit the Sand Hill Booster Club on 5/26/07 subject to appearing before the License Committee. Seconded by Alderman Solomon. All voted Aye; motion carried.

BILLS

- I-1. Alderman Kosovich moved to approve net City vouchers in the range of Nos. 120402 thru 120624 in the amount of \$1,961,237.35. Seconded by Alderman Hammelman. On roll call, all voted Aye. Motion carried.

PAYROLL

Alderman Skowronski moved to approve net payroll of April 27, 2007 in the amount of \$322,708.31. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Kosovich moved to adjourn the meeting at 9:15 p.m. Seconded by Alderman Hammelman. All voted Aye; motion carried.